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Serial No.: 10/715,152
Filed: November 17, 2003
Art Unit: 3671
Applicant: Yodock et al.
Title: BARRIER DEVICE WITH FOAM INTERIOR

Mail Stop Non-Fee Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO OFFICE ACTION

This is responsive to the Office Action mailed June 21, 2004 in which the Examiner rejected claims 1, 3-6 and 8-10 under §102(e) as being anticipated by U.S. publication no. US 2002/0025221 to Johnson (the "Johnson Reference"), and rejected claims 2 and 7 under §103(a) as obvious under the Johnson Reference in view of U.S. Patent No. 4,007,917 to Brubaker. Reconsideration of these rejections is respectfully requested.

Applicant's Invention

The barrier device of this invention comprises a top wall, a bottom wall, opposed end walls, and, opposed side walls made of a plastic material which are interconnected to form a closed, hollow interior. The inner surface of each wall is covered with a layer of foam material forming a unitary foam structure within the hollow interior defining an open area bounded by the foam along each wall. This open area receives a ballast material such as water, sand, rubber, concrete and the like.

Unlike prior barrier devices formed with plastic walls, the barrier of this invention